II. Bill to amend the Mysore Arms Regulation, 1890.

Whereas it is expedient to amend the Mysore Arms Regulation, VI of 1890, it is hereby enacted as follows:—

Amendment of Section 1 (Savings).

For the words "or a volunteer enrolled under the Indian Volunteers Act, 1869" occurring in Section 1, the words "or a member of either the forces constituted by the Indian Territorial Force Act, 1920, or the Auxiliary Force Act, 1920" shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

Section 1 of the Indian Arms Act, 1878, on which our Regulation is based, was amended by Section 35 of Act XLIX of 1920, substituting the words "or a member of either of the forces constituted by the Indian Territorial Force Act, 1920, or the Auxiliary Force Act, 1920" for the words "or a volunteer enrolled under the Volunteers Act, 1869." In connection with the issue of the revised Arms Rules under the Mysore Arms Regulation in 1926, it was brought to the notice of Government that there was necessity to amend Section 1 of our Regulation on the lines of Section 1 of the British Indian Act, as at present members of the Auxiliary Force residing in Mysore are denied the concessions in respect of the possession of arms, etc., which their brethren in other parts of India enjoy. The Bill gives effect to this proposal.

The statement was put to vote and passed unanimously without discussion.

III. Amendment of Small Cause Courts Regulation.

THE LEGAL REMEMBRANCER explained the objects and reasons to the following effect :—

The Laws' Delays' Committee have, in para 256 of their report, recommended that suits in ejectment based on specific leases of immovable property in writing after notice to quit may be made cognizable by a court of small causes on the ground that suits in ejectment are of a simple nature and are invariably based on oral or written leases and that much of the avoidable delay can thus be saved in their trial.

Suits in ejectment would generally be based on leases of house property or of agricultural lands.

One opinion expressed on the recommendation of the Laws' Delays' Committee is that suits in ejectment are not all of a simple nature especially suits between Inamdars and their tenants which are based generally on leases of agricultural lands and therefore suits in ejectment based on leases of agricultural lands may not be triable by Small Cause Courts.

The question therefore for consideration by this House is whether (*a*) suits in ejectment based on leases of immovable property, *i.e.*, (agricultural lands and house property) in writing and after notice to quit are to be made cognizable by Small Cause Courts;

or

(*b*) suits in ejectment based on leases of house property in writing after notice to quit alone be made so cognizable.

In either case Section 4 of the Small Cause Courts Regulation is to be amended.

MESSRS. C. SUBBA RAO, MAHOMED ABBAS KHAN, M. S. LINGE GOWDA, DHARMAPRAKASA D. BANUMAIYA, N. G. SANJEEVIAH, and a large number of others spoke in favour of the first alternative proposed in the Bill.

MR. NAGAPPA SETTY urged that registration also should be made compulsory even if the document was for a period of less than one year.

THE SECRETARY TO GOVERNMENT, LAW DEPARTMENT, replied that it was not possible, as there would be difficulties.

MR. S. VENKATESAIYA said that the operation of the measure would be much too restricted, if registration was made compulsory as proposed. He was in favour of the first alternative in the statement.

THE DEWAN said that if the party wished to make the possession perfectly safe, he might register the document but that it was not necessary to provide for it in the Regulation.

MR. C. SUBBA RAO observed that there was nothing to prevent the party from registering the document, even if the amount involved was very small.

MR. K. T. BHASHYAM IYENGAR thought that registration was unnecessary in such cases. He, however, pointed out that in suits for ejectment, the question of mesne profits would also arise and thought that the main question being ejectment, even when the mesne profits asked for exceeded the jurisdiction of the Small Cause Court the suit must be tried on the small cause side.

THE CHIEF JUDGE said that it could not be done.

MR. S. KRISHNASWAMI RAO said that the small cause decisions should be made appealable.

The first alternative mentioned in the statement was then put to vote and passed by a majority.

IV. Bill to amend the Mysore Land Revenue Code, 1888.

THE LEGAL REMEMBRANCER explained the scope of the proposed measure of legislation.

It has been found necessary to make provision in the Land Revenue Code for allowing lands to be taken up on short leases and special terms, and for enforcing such leases and terms. It is therefore proposed to introduce the following provisions in the Land Revenue Code, *viz.*,

To Section 66 of the Land Revenue Code, the following proviso will be added:—

Provided that nothing in this or any other section shall make it or shall be deemed to have made it, unlawful for the Deputy Commissioner at any time to grant permission to any person to occupy unalienated, unoccupied land, for such period and on such conditions as he may, subject to rules made by Government in this behalf, prescribe, and in any such case the occupancy shall, whether a survey settlement has been extended to the land or not, be held only for the period and subject to the conditions so prescribed.

After Section 66, add the following sections:—

66A. In any case where an occupancy is not transferable without the previous sanction of the Deputy Commissioner, and such sanction has not been granted to a transfer which has been made or ordered by a civil court or on which the court's decree or order is founded,

(*a*) such occupancy shall not be liable to the process of any court, and such transfer shall be null and void, and

(*b*) the court, on receipt of a certificate under the hand and seal of the Deputy Commissioner, to the effect that any such occupancy is not transferable without his previous sanction and that such sanction has not been granted, shall remove any attachment or other process placed on, or set aside any sale of, or affecting, such occupancy.

66B. Any person unauthorisedly occupying or wrongfully in possession of, any land to the use and occupation of which he has ceased to be entitled under any of the provisions of this Regulation, may be summarily evicted by the Deputy Commissioner.